

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**CARLTON ENERGY GROUP L.L.C.**

**Plaintiff,**

**V.**

**CLIVEDEN PETROLEUM  
COMPANY LIMITED and  
CLIVEDEN PETROLEUM SA  
Defendants.**

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Case No. \_\_\_\_\_

**DEFENDANT'S NOTICE OF REMOVAL**

TO THE CLERK OF THE ABOVE ENTITLED COURT:

Please take notice that Defendant, Cliveden Petroleum Co. Ltd., by this Notice of Removal, effects the removal of Cause Number **2012-27788** styled *Carlton Energy Group, L.L.C. vs. Cliveden Petroleum Company Limited [sic] and Cliveden Petroleum SA* currently pending in the 55<sup>th</sup> Judicial District Court of Harris County, in the State of Texas, to the United States District Courts for the Southern District of Texas on the following grounds:

1. Plaintiff, Carlton Energy Group L.L.C. ("Plaintiff" or "Carlton"), filed suit against Defendants, Cliveden Petroleum Co. Ltd. (incorrectly sued as Cliveden Petroleum Company Limited) ("CPCL") and Cliveden Petroleum SA, in the 55<sup>th</sup> Judicial District Court of Harris County, Texas on September 12, 2012.

2. Carlton is a Texas limited liability corporation. Defendant CPCL is a British Virgin Islands company. Defendant Cliveden Petroleum SA ("CPSA") is a Swiss corporation.

3. The undersigned attorney has conferred with Daniel Goforth, counsel for CPSA, and CPSA does not oppose to removal of this lawsuit. All defendants who have been properly joined and served consent to the removal of this case to federal court.

4. The amount in controversy exceeds \$75,000.00.

5. Pursuant to 28 U.S.C. § 1441(a), removal is proper as to “any civil action brought in a state court of which the district courts of the United States have original jurisdiction.” Pursuant to 28 U.S.C. § 1332, the district courts shall have original jurisdiction of all civil actions arising between citizens of a State and citizens or subjects of a foreign state. This court has original jurisdiction of this matter because this claim is between citizens of Texas and citizens of the British Virgin Islands. *Id.*

6. Pursuant to United States District Court for the Southern District of Texas Local Rule No. 81, a true and correct copy of the following documents are attached hereto:

- Exhibit 1: All executed process in the case;
- Exhibit 2: All pleadings;
- Exhibit 3: All orders signed by the state judge;
- Exhibit 4: The docket sheet;
- Exhibit 5: An index of matters being filed;
- Exhibit 6: A list of all counsel of record, including addresses, telephone numbers and parties represented.

7. CPCL received Plaintiff's First Amended Petition to Enforce the Binding Arbitration Clause on December 20, 2012 and this notice of removal was filed within the time required by 28 U.S.C. § 1446(b).

Respectfully submitted,

CRADY, JEWETT & McCULLEY, L.L.P.

By: /s/ Shelley B. Marmon

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ATTORNEYS FOR DEFENDANT CLIVEDEN PETROLEUM CO. LTD.

**Consent for Removal**

I am counsel for Defendant Cliveden Petroleum SA. I do hereby certify that Cliveden Petroleum SA consents to removal of this suit to federal court.

/s/ Danial Goforth with permission

Daniel Goforth  
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Houston, Texas 77056  
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Facsimile: 713.650.1669

ATTORNEY FOR DEFENDANT  
CLIVEDEN PETROLEUM SA

**Certificate of Service**

I do hereby certify that on the 14<sup>th</sup> day of January, 2013, a true and correct copy of the foregoing document was forwarded by certified mail, return receipt requested to the following counsel of record:

Jerry Galow  
Galow & Smith, P.C.  
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/s/ Shelley B. Marmon  
Shelley B. Marmon